

**IN THE CLAIMS:**

Please cancel claims 28-38, 40-46, and 49 without prejudice and amend the claims as follows:

1-38. (Cancelled)

39. (Currently Amended) ~~The substrate of claim 37~~ A substrate, comprising:  
a first dielectric layer comprising silicon, carbon, and nitrogen;  
a nitrogen free silicon carbide cap adjacent the first dielectric layer; and  
a second dielectric layer comprising silicon, oxygen, and carbon adjacent the  
nitrogen free silicon carbide cap; and  
one or more etch dielectric layers adjacent the second dielectric layer, wherein  
the one or more etch dielectric layers comprise:  
a nitrogen doped silicon carbide layer adjacent the second dielectric layer;  
and  
nitrogen free silicon carbide cap adjacent the nitrogen doped silicon  
carbide layer.

40-46. (Cancelled)

47. (Currently Amended) ~~The substrate of claim 44~~ A substrate, comprising:  
a first dielectric layer comprising silicon, carbon, and nitrogen;  
a nitrogen-free silicon and carbon containing material adjacent the first dielectric  
layer;  
a second dielectric layer comprising silicon, oxygen, and carbon on the nitrogen-  
free silicon and carbon containing material; and  
an etch stop layer adjacent the second dielectric layer, wherein the etch stop  
layer comprises a nitrogen doped silicon carbide layer.

48. (Currently Amended) ~~The substrate of claim 44~~ A substrate, comprising:  
a first dielectric layer comprising silicon, carbon, and nitrogen;

a nitrogen-free silicon and carbon containing material adjacent the first dielectric layer;

a second dielectric layer comprising silicon, oxygen, and carbon on the nitrogen-free silicon and carbon containing material; and

an etch stop layer adjacent the second dielectric layer, wherein the etch stop layer comprises:

a nitrogen doped silicon carbide layer adjacent the second dielectric layer;  
and

a nitrogen free silicon carbide cap adjacent the nitrogen doped silicon carbide layer.

49. (Cancelled)